

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Case No. 5:17-cv-00593-BO

ATLANTIC COAST PIPELINE, LLC,

Plaintiff,

v.

7.432 ACRES, MORE OR LESS, IN
CUMBERLAND COUNTY, NORTH
CAROLINA *et al.*,

Defendants.

**NOTICE OF VOLUNTARY
DISMISSAL OF ALL REMAINING
DEFENDANTS AND PROPERTIES**

Fed. R. Civ. P. 41(a)(1)(A)(i)
and 71.1(i)(1)(A)

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) and 71.1(i)(1)(A), plaintiff Atlantic Coast Pipeline, LLC (“Atlantic”), by and through the undersigned counsel, hereby voluntarily dismisses without prejudice its claims in this condemnation action as to the following:

1. BBC Enterprises, a North Carolina Partnership;
2. that certain real property consisting of 21.69 acres, more or less, as is more particularly described in that certain deed recorded in Deed Book 5754, Page 822, among the land records of Cumberland County, North Carolina, and as further identified as Parcel Identification No. 0571-77-6575 (the “Property”).

Atlantic has acquired the requested easements over the Property from the above-named defendants by agreement and has paid them just compensation. Thus, the above-named defendants and the Property no longer need to be parties to this condemnation action.

WHEREFORE, the above-named defendants and their property may be dismissed without prejudice, and this action may be dismissed in its entirety.

This the 21st day of February, 2018.

/s/ Henry L. Kitchin, Jr.

Henry L. Kitchin, Jr.

N.C. State Bar No. 23226

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Counsel for Atlantic Coast Pipeline, LLC

CERTIFICATE OF SERVICE

I, Henry L. Kitchen, Jr., of McGuireWoods LLP, certify:

That I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age; and

That on this day, I served copies of the foregoing, either by U.S. Mail, postage-prepaid, or via the Court's Case Management / Electronic Case Filing ("CM/ECF") system, on the following:

BBC ENTERPRISES, a North Carolina
Partnership
243 S. Bragg Blvd.
Spring Lake, North Carolina 28390

I certify under penalty of perjury that the foregoing is true and correct.

This the 21st day of February, 2018.

/s/ Henry L. Kitchen, Jr.

Henry L. Kitchen, Jr.

N.C. State Bar No. 23226

Counsel for Atlantic Coast Pipeline, LLC